

FRED UPTON, MICHIGAN
CHAIRMAN

HENRY A. WAXMAN, CALIFORNIA
RANKING MEMBER

ONE HUNDRED TWELFTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115

Majority (202) 225-2927
Minority (202) 225-3641

July 11, 2011

Honorable Lisa P. Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator Jackson:

I am writing with a pressing concern about H.R. 2273, the Coal Residuals Reuse and Management Act. The Committee on Energy and Commerce will meet this afternoon to begin marking up this legislation. An amendment in the nature of the substitute was circulated on Friday that made significant changes to H.R. 2273 that neither the agency nor stakeholders have had an opportunity to provide testimony on.

The legislation would rely on criteria developed for the disposal of municipal solid waste to govern the disposal of coal combustion residuals (CCR). Stakeholders have raised concerns about the appropriateness and sufficiency of those criteria for CCR disposal. In order to inform the Committee's consideration of this legislation, I would appreciate answers to the following questions by 10:00 a.m. tomorrow relating to the amendment in the nature of a substitute which was circulated on Friday, July 8, 2011:

- If the amendment were to be enacted, would the EPA have the authority to revise the criteria referenced in the legislation in order to address the specific risks posed by the disposal of coal combustion residuals?

The Honorable Lisa Jackson

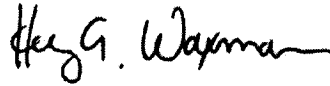
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- If the amendment were to be enacted, would the groundwater monitoring requirements applicable to structure include testing for the contaminants expected to leach from coal combustion residuals?

Thank you for your immediate attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Henry A. Waxman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Henry A. Waxman
Ranking Member